

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

STANLEY MARCINEK

COMPLAINANT

v.

KENTUCKY-AMERICAN WATER COMPANY

DEFENDANT

CASE NO. 96-368

ORDER TO SATISFY OR ANSWER

Kentucky-American Water Company ("Kentucky-American") is hereby notified that it has been named as defendant in a formal complaint filed on July 30, 1996, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Kentucky-American is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

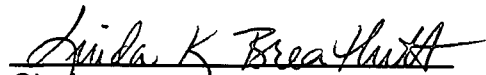
Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.


Done at Frankfort, Kentucky, this 13th day of August, 1996.

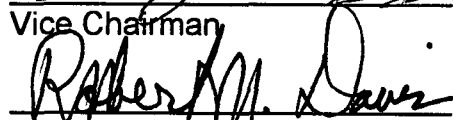
ATTEST:

  
Executive Director

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

COMMONWEALTH OF KENTUCKY  
BEFORE: THE PUBLIC SERVICE COMMISSION

RECEIVED  
JUL 30 1996  
PUBLIC SERVICE  
COMMISSION

IN THE MATTER OF:

STANLEY MARCINEK  
COMPLAINANT

VS.

Case No. 96-368

KENTUCKY AMERICAN WATER COMPANY  
DEFENDANT (NAME OF UTILITY)

COMPLAINT

The Complaint of STANLEY MARCINEK respectfully shows:

- (a) STANLEY MARCINEK  
SAINT ANN DRIVE  
LEXINGTON, KENTUCKY 40502
- (b) KENTUCKY AMERICAN WATER COMPANY  
2300 RICHMOND ROAD  
LEXINGTON, KENTUCKY 40502

(c) That: Kentucky American Water Company desires payment of \$312.33 for 88 hundred cubic feet of water usage during a three month period from September 10, 1995 to December 19, 1995, (Exhibit 1).

I feel that there must have been a malfunctioning of the meter; 88 hundred cubic feet, 66,000 gallons usage or 733 gallons per day is not factual without evidence of a leak. Please refer to my usage chart submitted, which was provided by Kentucky American Water Company for the past two years and note the increase usage for the above period in question, (Exhibit 2, Form 380).

My wife and I have been customers of the Water Company for 40 years at this residence and raised a family of eight children during this time. We have never used this amount of water or had a bill of this proportion. There are only TWO adults using the water presently at 236 Saint Ann Drive.

On January 3, 1996 a representative of the Water Company checked the meter and found no sign of a leak, (Exhibit 3). The test reading of the meter indicated that from December 20, 1995 (161.0 units) to January 3, 1996 (161.89 units) of water was used. Therefore, 0.89 cubic feet was consumed for 15 days. Followed by a January 9, 1996 reading of 165.66 units or 3.77 cubic feet

usage for six days. Since our personal water usage within the home stayed consistent during this period of December 20, 1995 through January 9, 1996, the only conclusion is the meter is inconsistent. Please refer again to Exhibit 2 and note that the 6 day test reading of 3.77 cubic feet is more than the entire three months usage from June 19, 1995 to September 26, 1995. Again, this would indicate inconsistency.

On January 10, 1996, Mr. Bill Buckner installed a monitor on the meter. The next day, he installed a recorder on this meter for 24 hours. The recorder registered 21 gallons of water usage for a 24 hour period. Mr. Buckner said the meter was accurately recording usage. However, he failed to inform me that the electronic reader head on this meter had been disconnected and never reinstalled. The electronic reader was disconnected when Mr. Buckner installed the monitor and the recorder during his checks. Therefore, I feel that the meter set up that had been monitoring my water usage was not actually being tested as it normally calculate the previous readings.

On January 15, 1996, Kentucky American Water Company claimed to have removed the meter to have it tested in their shop without this Complainant's knowledge (Exhibit 4). When I questioned Mr. Bush concerning the removal and testing of the meter, he scheduled a second testing of the meter for February 22, 1996, at which time both my wife and I were present. The meter again was tested without the electronic reader. I feel that since the electronic reader was used to calculate the bill in question that it too should have been tested. Please note that our neighborhood has been a test neighborhood for these electronic readers.

I believe that after removing the meter and the electronic reader to test the meter, that the Water Company could have corrected the meter or adjusted the meter to now read correctly. In follow-up, the Water Company could have reinstalled the corrected meter at my residence prior to the testing I witnessed or simply the removal of the meter and electronic reader could have dislodged something in the pipes or meter self-corrected the situation, which had been causing the previously erratic and faulty readings.

**WHEREFORE**, Complainant respectfully requests to have a formal hearing so that an adjustment can be made in the water and sewage bill in question for the period of September 10, 1995 to December 19, 1995 by averaging Complainant's bills using said past history of usage.

*Please note that I will be out of town from July 31, 1996 through August 20, 1996. If I can be of any further assistance, please contact me at (606) 266-2077 after August 20, 1996.*

Dated at Lexington, Kentucky on this the 29 day of July, 1996.

  
STANLEY MARCINEK

EXHIBIT 1

RECEIVED  
JUL 30 1996  
PUBLIC SERVICE  
COMMISSION

**BILLING PERIOD**  
Sep-20 TO Dec-19 ( 90 days)  
Billing date 12-26-95  
Next reading on/about Mar-19

AMOUNT OF LAST BILL	\$27.61
Payment-Thank You	\$27.61-
Prior balance due	\$ .00

**METER INFORMATION**

Meter no. Meter size  
038723049 5/8

**METER READING INFORMATION**

Present-Actual	16100
Prior	7300
Cubic feet usage	8800
Gallon usage	66000

**CURRENT WATER CHARGES**

\$146.97

**OTHER CHARGES**

LFUCG sewer charge	\$154.56
KRA withdrawal fee CL6	\$3.28
Fayt Co tax-svc CL6	\$4.51
Franchise tax-svc CL6	\$3.01
Total current charges	\$312.33
Your prior balance was	\$ .00
<b>TOTAL AMOUNT DUE</b>	<b>\$312.33</b>

6th Stacy  
gth Pans

Exhibit 1

**PREVIOUS PERIOD USAGE**

2,250 GALLONS

**SAME PERIOD LAST YEAR**

9,750 GALLONS

Average water usage for  
this period 733 gal a day

**KENTUCKY - AMERICAN**

**WATER COMPANY**

2300 RICHMOND ROAD  
LEXINGTON, KY 40502

Service to: MARCINEK S  
236 ST ANN DR

Service number: 028292

Account number: 380-01970294-00

**MESSAGES TO YOU FROM KENTUCKY - AMERICAN**

If you have questions or concerns, please contact our office. Office  
Hours 8:00 am to 4:30 pm M-F Phone 606-268-6300 or 1-800-678-6301,  
EMERGENCY - 606-269-2395.

Brochures on tips to conserve water are available in our lobby.



CO. NO. 01970294-00 000 028292 01/02/96 01/02/99 *L. Gamm B* 01/03/96 1-3-96 8:53 AM

SERVICE NO. 236 ST ANN DR SVD. NO. - 24009 A.M. P.M. 01/02/96

MR MARCINEK  
236 ST ANN DR  
LEXINGTON KY 40502 WUD-1

REQUESTED BY - MR MARCINEK  
ORDER PREPARED BY - FT *Chubert 3*  
COUNTER - ☐ MAIL - ☐ PHONE - ☐  
EST-00  
RES. - (000)266-2077  
READ SEQUENCE 0197-0294

TURN ON	SHUT OFF	SET METER	REMOVE METER	SET REMOTE	REMOVE REMOTE	TEST METER	RE-READ INSPECT	READ DATE INSIDE METER
							LOW- HIGH-	

METER TEST DATE	DATE METER REMOVED
02/94	

5/8-N	38723049	4	00000161	02/94	12/19/95
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SET DATE - 12/93

CUBIC FEET	GALS.

LAST 1ST CONSUMPTION	LAST 2ND CONSUMPTION	LAST 3RD CONSUMPTION	LAST 4TH CONSUMPTION
000082	000003	000014	000009

SPECIAL METER READING INSTRUCTIONS (1ST 20 POSITIONS)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

SPECIAL METER READING INSTRUCTIONS (2ND 20 POSITIONS)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

METER LOCATION - UTILITY FORD

SITUATION CODE -

REMARKS - 1/10/96, called Mr. Marcinek & gave info. he said he has a toilet leak. I gave him to B. Buckner

SHOP OR OUTSIDE REMARKS - 1/13/96 R 0161-89 No sign of leak at Box Flow Finder not moving

REMOTE REGISTER READING

--	--	--	--	--	--	--	--	--	--

METER READING

--	--	--	--	--	--	--	--	--	--

VERIFIED BY - SAK  
ISSUED LOCALLY - SAK

METER RAN	STOPPED	DIDN'T STOP	DOORKNOB NOTICE
			YES NO

CU. FT.

TALKED TO	NO. OF PEOPLE IN PREMISES	VACANT YES NO	HOW LONG	IS SEAL BROKEN YES NO	ARE 40 AND 100 DIALS OPERATING YES NO	THIRD PARTY YES NO	LANDLORD AGREEMENT YES NO	HOT WATER HEAT GAS ELEC. OTHER

ORDER RECORDED BY \_\_\_\_\_ TYPE \_\_\_\_\_ DATE \_\_\_\_\_

1/6 -

1/9

2/1

EXH. BIT 3

EXHIBIT 4

22-10-1994 4  
YES

KENTUCKY - AMERICAN WATER COMPANY

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\*\*\*\*\* OFFICE USE ONLY \*\*\*\*\*

\*\*\*\*\*

Customer Name: S. Marcinek Account Number: 1970294-00  
Service Address: 236 St. Ann Dr Service Number: 28292  
Meter: Size 5/8 Make N Number 38723049 Test Scheduled: Date 1-15-94 Time 3:15PM

	GPM	Readings Beginning	Ending	Percent of Accuracy	Required Accuracy
Low Flow:	<u>1/4</u>	<u>1500</u>	<u>1600</u>	<u>100</u>	90% — 101%
Intermediate Flow:	<u>2</u>	<u>1600</u>	<u>1700</u>	<u>100</u>	98.5% — 101.5%
Maximum Flow:	<u>15</u>	<u>1700</u>	<u>2699</u>	<u>99.9</u>	98.5% — 101.5%

\*\*\*\*\*  
\* IF ANY OF THE TESTS ABOVE ARE NOT WITHIN THE REQUIRED \*  
\* ACCURACY LIMITS THEN FURTHER TESTING IS REQUIRED BELOW. \*  
\*\*\*\*\*

Flow Rate % of Capacity	GPM	Readings Beginning	Ending	Percent of Accuracy
25%	_____	_____	_____	_____
50%	_____	_____	_____	_____
75%	_____	_____	_____	_____

Average of all 3 tests: \_\_\_\_\_

Less Standard: 100%

Equals % of Error: \_\_\_\_\_ Fast \_\_\_\_\_ Slow \_\_\_\_\_

Before Test Reading: 016615 After Test Reading: 016626

Customer Witness? YES \_\_\_\_\_ NO X

\*\*\* IF PERCENT OF ERROR IS GREATER THAN 2% THEN COMPLETE THE APPROPRIATE SECTION BELOW \*\*\*

Length of time error is known to exist: \_\_\_\_\_

FAST METER basis for refund: \_\_\_\_\_

Amount of refund: \_\_\_\_\_

SLOW METER basis for additional bill: \_\_\_\_\_

Amount of additional bill: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

Copy to: Customer Service Supt.—Inside  
Customer Service Supt.—Outside  
Customer with letter

Meter Envelope  
Service File  
PSC Complaint File

Meter Dept. File  
Billing Dept. File